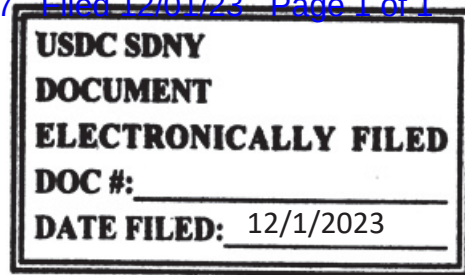


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE ACTOS ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS



Master File No. 1:13-cv-09244 (RA) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Before the Court are three motions to seal documents filed in connection with two Letter Motions recently decided by the Court. (See Letter Motions, ECF Nos. 558, 559, 567.) It is hereby Ordered that, no later than December 15, 2023, Defendants shall make a further application as to the basis for sealing. *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). The Court notes that “the mere fact that information is subject to a confidentiality agreement between litigants is not a valid basis to overcome the presumption in favor of public access to judicial documents.” *United States v. Wells Fargo Bank N.A.*, No. 12-CV-07527 (JMF), 2015 WL 3999074, at *4 (S.D.N.Y. June 30, 2015). Further, although the need to protect attorney-client privileged communications may defeat the presumption of public access, the Court questions whether that is the case here, where Defendants have waived privilege in certain relevant respects. *See Pall Corp. v. 3M Purification Inc.*, 764 F. Supp. 2d 478, 480 (E.D.N.Y. 2011).

SO ORDERED.

Dated: New York, New York
December 1, 2023

STEWART D. AARON
United States Magistrate Judge